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SB 488

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Superintendent

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To: House Education Committee
From: Madalyn Quinlan, Office of Public Instruction
Subject: Senate Bill 488

Article X, section 1, of the Montana constitution requires the legislature to provide a basic system of free quality public elementary and secondary schools. The legislature "shall fund and distribute in an equitable manner to the school districts the state's share of the cost of the basic elementary and secondary school system."

Senate Bill 488 defines the "state share" as the amount of money provided to a school district for BASE budget purposes. This definition is very limited and excludes many of the funding sources that the state provides to schools. It also appears to conflict with the definition of the "BASE funding program," is defined as the state program for the equitable distribution of the state's share of the cost of Montana's basic system of public elementary schools and high schools, through county equalization aid as provided in 20-9-331 and 20-9-333 and state equalization aid as provided in 20-9-343, in support of the BASE budgets of districts and special education allowable cost payments as provided in 20-9-321.

State equalization aid is defined in 20-9-343 to include "distributions to schools for guaranteed tax base aid, BASE aid, state reimbursements for school facilities, grants for school technology purchases, and negotiated payments authorized under 20-7-420(3) up to \$500,000 a biennium." This list includes monies state payments for retirement levies, school facilities, technology purchases and residential treatment centers all of which are outside the general fund.

Section 20-9-309 defines a basic system of free quality public elementary and secondary schools to include the eight components which are listed in the table on the following page.

"It is the mission of the Office of Public Instruction to improve teaching and learning through communication, collaboration, advocacy, and accountability to those we serve."

Components of a Basic System of Free Quality Public Schools	State Support through the BASE Budget	State Support outside the BASE Budget
The educational program specified by the accreditation standards provided for in 20-7-111, which represent the minimum standards upon which a basic system of free quality public elementary and secondary schools is built	<ul style="list-style-type: none"> • Direct state aid • GF GTB • Quality educator payment • At-risk student payment • Indian education for all payment • American Indian achievement gap payment • Special education allowable cost payment 	<ul style="list-style-type: none"> • School Technology payments • Appropriations to OPI for statewide student assessment • Secondary vocational education payments • Student driver's education (not part of the accreditation standards)
Educational programs to provide for students with special needs, such as: <ul style="list-style-type: none"> (i) a child with a disability, as defined in 20-7-401; (ii) an at-risk student; (iii) a student with limited English proficiency; (iv) a child who is qualified for services under 29 U.S.C. 794; and (v) gifted and talented children, as defined in 20-7-901 	<ul style="list-style-type: none"> • State special education payments • At-risk student payment 	<ul style="list-style-type: none"> • Gifted and talented programs • Instate residential treatment • Hearing conservation program • School Foods payment
Educational programs to implement the provisions of Article X, section 1(2), of the Montana constitution and Title 20, chapter 1, part 5, through development of curricula designed to integrate the distinct and unique cultural heritage of American Indians into the curricula, with particular emphasis on Montana Indians;	<ul style="list-style-type: none"> • Indian education for all payment per-ANB 	<ul style="list-style-type: none"> • One-time only appropriation for Indian Education for All • Appropriations to OPI for Indian Education for All to develop instructional materials and facilitate professional development
Qualified and effective teachers or administrators and qualified staff to implement the programs in subsections (2)(a) through (2)(c)	<ul style="list-style-type: none"> • Quality educator payment 	<ul style="list-style-type: none"> • Educator licensure standards • Stipends for national board certified teachers • County Retirement GTB
Facilities and distance learning technologies associated with meeting the accreditation standards		<ul style="list-style-type: none"> • School facility payments • School technology payments
Transportation of students pursuant to Title 20, chapter 10		<ul style="list-style-type: none"> • State transportation reimbursements
A procedure to assess and track student achievement in the programs established pursuant to subsections (2)(a) through (2)(c)		<ul style="list-style-type: none"> • Appropriations to OPI for a student information system
Preservation of local control of schools in each district vested in a board of trustees pursuant to Article X, section 8, of the Montana constitution.		